

Amdt. dated July 21, 2004.
Reply to Office action of April 21, 2004

Serial No. 09/726,268
Docket No. AUS920000344US1
Firm No. 0072.0033

REMARKS/ARGUMENTS

Applicants canceled claims 2, 8, 14, 20, 26, and 32.

Applicants amended claims 10, 22, and 34 to correct the mistake noted by the Examiner to overcome the indefiniteness rejection under 35 U.S.C. §112, par. 2 (Office Action, pg. 2).

Applicants amended certain claims to change the term "access time rating" to "determined times" or "stored determined times".

Applicants amended additional claims as discussed below.

1. Claims 1, 2, 4-7, 12-14, 16-19, 24-26, 28-31, and 36 are Patentable Over the Cited Art

The Examiner rejected claims 1, 2, 4-7, 12-14, 16-19, 24-26, 28-31, and 36 as obvious (35 U.S.C. §103) over Barrett (U.S. Patent No. 5,727,129) and Barrett et al (U.S. Patent No. 5,908,567). Applicants traverse with respect to the amended claims.

Applicants amended independent claims 1, 13, and 25 to include certain requirements from dependent claims 9, 21, and 33 and 2, 12, and 21 as discussed during the phone interview to distinguish over the cited art. Applicants further amended claims 1, 13, and 25 to include requirements from canceled claims 8, 20, and 32.

Amended claims 1, 13, and 25 concern rendering network addresses of files capable of being downloaded over a network on an output device, and require: generating a list of previously accessed network addresses; for each listed network address, determining a time to download a page and any embedded files in the page from the network address over the network in response to downloading the page and any embedded files from the network address, wherein the pages at different network addresses page content is available at different network addresses; storing each determined time with the network address for which the time was determined; determining an access time indicator for the network addresses based on the determined times stored with the network addresses, wherein the determined access time indicator is capable of indicating at least two different access times with respect to one network address; and rendering the access time indicator when rendering the network address on the output device.

The Examiner acknowledged that the cited Barrett and Barrett et al did not teach or suggest the claim requirements concerning determining, storing, and calculating access times. (Office Action, pgs. 7-8) The Examiner cited col. 13, line 40 to col. 14, line 12 of Swildens

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(U.S. Patent No. 6,484,143) as teaching the claim requirements concerning determining a download time each time a page and its embedded components are downloaded from the network address and storing each determined time with the network address. (Office Action, pgs. 6-7) Applicants traverse with respect to amended claims 1, 13, and 25 which require for each listed network address, determining a time to download from the network address over the network in response to downloading from the network address and storing each determined time with the network address for which the time was determined.

The cited cols. 13-14 of Swildens discusses determining a time to download components of a page from different servers at different locations. For instance, the cited FIG. 5H shows a table containing details to download a page and specific components of the page for one server location. (Swildens, col. 13, line 62 to col. 14, line 12)

Nowhere does the cited Swildens anywhere teach or suggest for each listed network address, determining a time to download a page and any embedded files in the page from the network address over the network in response to downloading the page and any embedded files from the network address. Instead, the cited Swildens discusses determining the time to download each specific component of a page from different servers, where the same content is downloaded from each server. The cited claims, on the other hand, determine and store times for network addresses to download a page and any embedded files from a network address.

The Examiner further cited col. 3, line 61 to col. 4, line 5, col. 6, lines 9-14 and 39-47 of Barrett et al as teaching the claim requirements concerning the access time rating. (Office Action, pg. 8) Applicants submit that the cited Barrett et al does not teach or suggest the amended claim requirement of determining an access time indicator for the network addresses based on the determined times stored with the network addresses, wherein the determined access time indicator is capable of indicating at least two different access times with respect to one network address.

The cited cols. 3-4 of Barrett et al discusses displaying with hyperlinks an indicia of the length of time to download the linked page. The cited col. 6, lines 39-47 of Barrett et al further mentions that the download time is determined by sending a test message to the remote site of the hyperlinked page and receiving a response. See also, Barrett et al, col. 4, lines 5-12. Nowhere do this cited cols. 3-4 anywhere teach or suggest the claim requirement that the access time

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indicator is based on multiple stored times to download a page and all embedded files in the page from a network address. Instead, the cited Barrett et al mentions that the indicator is based on the time to receive a response from a test message, not the multiple stored times to download the page and any embedded files from the network address when downloading the page as claimed.

Accordingly, Applicants submit that amended claims 1, 13 and 25 are patentable over the cited art because the cited art does not teach the requirements of these claims.

Claims 2, 4-7, 12, 14, 16-19, 24, 26, 28-31, and 36 are patentable over the cited art because they depend from one of claims 1, 13, and 25, which are patentable over the cited art for the reasons discussed above. Moreover, the following dependent claims provide additional grounds of patentability over the cited art.

Claims 4, 16, and 28 are amended to depend on independent claims 1, 13, and 25 and further require that the output device comprises a display monitor, wherein rendering the network address comprises displaying the network address on a display monitor and wherein rendering the access time indicator comprises altering the display of the network address on the display monitor.

The Examiner cited col. 8, lines 49-61 and col. 10, lines 53-64 of Barrett as teaching the additional requirements of these claims. (Office Action, pg. 4) Applicants traverse.

The cited col. 8 mentions that the URL is displayed "in a typical fashion" and that information pertaining to statistics are shown and that the URLs may be given in ranked order based on the decreasing number of past occurrences of accesses of the URL. The cited col. 10 mentions that the list may include a ranking based on the number of visitations to a web page.

Nowhere do the cited cols. 8 and 10 anywhere teach or suggest that the access time indicator is rendered by altering the display of the network address. The cited cols. 8 and 10 referencing FIG. 6 show displaying information in addition to the URL or displaying the URL in a particular order. However, nowhere does the cited Barrett anywhere teach or suggest that the access time indicator is rendered by altering the display of the URL or network address.

Accordingly, claims 4, 16, and 28 provide additional grounds of patentability over the cited art because the additional requirements of these claims are not taught or suggested in the cited art.

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Claims 7, 19, and 31 are amended to depend on independent claims 1, 13, and 25 and further require that the determined times are further based on a time to render the downloaded page as output on the display monitor.

The Examiner cited col. 8, lines 49-61 and col. 10, lines 19-27 of Barrett as teaching the additional requirements of these claims. (Office Action, pg. 5) Applicants traverse.

The cited col. 8 mentions that the URL is displayed "in a typical fashion" and that information pertaining to statistics are shown and that the URLs may be given in ranked order based on the decreasing number of past occurrences of accesses of the URL. The cited col. 10 mentions that a displayed web page is shown and a local trail display showing the web page visitation history.

Nowhere do the cited cols. 8 and 10 anywhere teach or suggest that the determined times from which the access time indicators are further based on a time to render the downloaded page as output on the display monitor. Nowhere do the cited cols. 8 and 10 anywhere teach using a time to render a downloaded page to determine an access time indicator as claimed.

Accordingly, claims 7, 19, and 31 provide additional grounds of patentability over the cited art because the additional requirements of these claims are not taught or suggested in the cited art.

2. Claims 11, 23, and 35 are Patentable Over the Cited Art

Claims 11, 23, and 35 were amended to depend from claims 1, 13, and 25 and further require that rendering the access time indicator when rendering the processed network address further comprises: receiving characters of a network address a user inputs into an address field displayed on the output device; determining a set of network addresses from the list of previously accessed network addresses that begin with the received characters; determining the access time indicator for each of the determined network addresses in the set based on the stored determined times for each network address; and rendering the determined access time indicator for each network address with the network address in a list of network addresses, wherein a user is capable of selecting one of the rendered network addresses to substitute for the received characters to enter into the address field.

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Claims 11, 23, and 35 were further amended to indicate that the determined access time indicator is based on the stored determined times.

The Examiner rejected claims 11, 23, and 35 as obvious over Barrett and Barrett et al and Official Notice. (Office Action, pg. 6) Applicants traverse.

Claims 11, 23, and 35 are patentable over the cited art because they depend from base claims 1, 13, and 25, which are patentable over the cited art for the reasons discussed above. Moreover, these claims provide additional grounds of patentability over the cited art for the following reasons.

In the Official Notice, the Examiner found that it would be obvious to include an autocomplete feature to increase efficiency in allowing the user to select a previous network address. (Office Action, pg. 6) Applicants traverse.

The claims require that characters of a network address are received to determine network addresses from the list of previously accessed network addresses for the purpose of rendering the access time indicators of those network addresses that begin with the received characters. The claims do not concern autocompleting a network address as the Examiner suggests, but instead concern how to select network addresses from a list so that the access time indicators for these selected network addresses beginning with the received characters can be rendered.

Nowhere does the cited Official Notice anywhere teach or suggest that it would be obvious to select access time indicators for network addresses that begin with the characters inputted by a user.

Accordingly, claims 11, 23, and 35 provide additional grounds of patentability over the cited art because the additional requirements of these claims are not taught or suggested in the cited art.

3. Claims 3, 9, 15, 21, 27, and 33 are Patentable Over the Cited Art

The Examiner rejected pending claims 3, 9, 15, 21, 27, and 33 as obvious over Barrett, Barrett et al, and Swildens.

Applicants submit that these claims are patentable over the cited art because they depend from base claims 1, 13, and 25, which are patentable over the cited combination of these three references for the reasons discussed above.

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4. Claims 10, 22, and 34 are Patentable Over the Cited Art

The Examiner rejected claims 10, 22, and 34 as obvious over Barrett, Barrett et al, and Killian (U.S. Patent No. 6,438,592). Applicants traverse.

Claims 10, 22, and 34 are patentable over the cited art because they depend from base claims 1, 13, and 25, which are patentable over the cited art for the reasons discussed above.

Conclusion

For all the above reasons, Applicant submits that the pending claims 1, 3-7, 9-13, 15-19, 21-25, 27-31, and 33-36 are patentable over the art of record. Applicants have not added any claims. Nonetheless, should any additional fees be required, please charge Deposit Account No. 09-0447.

The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.

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By: 

David W. Victor
Registration No. 39,867

Please direct all correspondences to:

David Victor
Konrad Raynes & Victor, LLP
315 South Beverly Drive, Ste. 210
Beverly Hills, CA 90212
Tel: 310-553-7977
Fax: 310-556-7984